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Chairman: Mr. Busacca (Italy)

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97-82826 (E)

The meeting was called to order at 3.25 p.m.

Agenda item 105: Advancement of women (*continued*) (A/C.3/52/L.15/Rev.1)

Draft resolution A/C.3/52/L.15/Rev.1: Improvement of the situation of women in rural areas

1. **The Chairman** invited the Committee to take action on draft resolution A/C.3/52/L.15/Rev.1 and pointed out that it contained no programme budget implications.

2. **Ms. Newell** (Secretary of the Committee) said that two paragraphs of draft resolution A/C.3/52/L.15/Rev.1 had been revised. In the eighth preambular paragraph, the word "many" had been inserted before the word "developing" and the phrase "and will continue to be so in the years to come" had been deleted. In paragraph 2 (g) the words "policies and" had been inserted before the word "programmes".

3. **Mr. Enkhsaikhan** (Mongolia) said that Botswana, India, Solomon Islands and Tajikistan had joined the sponsors of draft resolution A/C.3/52/L.15/Rev.1 and that Mauritania and Pakistan had withdrawn their names from the list of sponsors.

4. **The Chairman** said that Barbados, Benin, Guyana, Iceland, Israel, Italy, Malawi, Mali, and Viet Nam had also joined the sponsors of the draft resolution.

5. **Mr. Al-Sudairy** (Saudi Arabia) said that his delegation had some reservations on paragraph 2 (e) of the draft resolution with regard to equality in inheritance between men and women. The wording of the paragraph was incompatible with Islamic law.

6. **Ms. Wahbi** (Sudan) said that her delegation had joined the consensus on draft resolution A/C.3/52/L.15/Rev.1 because most of the text clearly focused on preserving and protecting the rights of rural women and also urged States and the international community to improve the situation of rural women and respond to their special needs, particularly in developing countries. Nevertheless, the Sudan had a number of reservations concerning paragraph 2 (e) and was unable to support it. The wording of that paragraph diverged from the language found in international agreements, particularly the Beijing Declaration and Platform of Action and introduced unacceptable ambiguities.

7. Her delegation rejected language that might be contrary to Islamic law, particularly the reference to inheritance in paragraph 2 (e). That language had not been agreed upon and should not have been included in a consensus text. Her delegation also rejected the method used to introduce paragraph 2 (e) into the draft resolution. The question of women's rights to inheritance had often been the cause of disagreement at international conferences and negotiations on numerous international instruments. The divergent views among States precluded any consensus on the question.

8. Under Islamic law, women enjoyed equal rights in matters relating to inheritance. The distribution of property among heirs was based on the degree of kinship to the deceased regardless of gender. The United Nations had always called for tolerance among peoples of different religions. Consequently, her delegation did not understand why some tried to set Muslims apart and required them to justify their religious beliefs. She urged delegations to respect the beliefs of others and recognize genuine differences in those beliefs throughout the world.

9. **Mr. Zahid** (Morocco) said that for centuries women had enjoyed full rights in his country. Morocco had played an active role in international forums on the status of women. Although it had been one of the first to sponsor the draft resolution under consideration, it felt that the changes made in the text in paragraph 2 (e) created some ambiguity with regard to Islamic legislation and law. The Koran set forth clearly defined rules governing inheritance and gave women full rights in that area. Accordingly, his delegation could not associate itself with any interpretation that might be contrary to the Sharia. He hoped that at the next Assembly, a consensus could again be reached on the draft resolution on the improvement of the situation of women in rural areas which would enable his delegation to sponsor it.

10. **Ms. Vadiati** (Islamic Republic of Iran) said that her delegation had joined the consensus on draft resolution A/C.3/52/L.15/Rev.1 and attached great importance to improving the situation of women in rural areas. Nevertheless, her delegation had reservations with regard to paragraph 2 (e) and interpreted the question of inheritance in accordance with its domestic legislation, which was based on Islamic principles governing inheritance.

11. **Mr. Mba Allo** (Gabon) said that his delegation wished to join in sponsoring draft resolution A/C.3/52/L.15/Rev.1.

12. **Mr. Al-Awadi** (Kuwait) said that his delegation reserved its position concerning the reference to inheritance in paragraph 2 (e); the subparagraph might not be in conformity with Islamic law, as pointed out by previous speakers.

13. **Mr. Al-Humaimidi** (Iraq) said that his delegation supported the views expressed by previous speakers concerning the draft resolution under consideration. Iraq had also joined in the consensus on draft resolution

A/C.3/52/L.15/Rev.1, but had reservations concerning paragraph 2 (e) because the language was ambiguous and might contain elements contrary to Islamic law.

14. **Mr. Saleh** (Bahrain), supported by **Mr. Al-Shamsi** (United Arab Emirates), and **Mr. Bogoreh** (Djibouti), said that, although his delegation had joined the consensus on draft resolution A/C.3/52/L.15/Rev.1, it too had reservations with regard to paragraph 2 (e), because it might be interpreted as contrary to Islamic law. The question of inheritance under Islamic law was set forth in very precise language and was not open to discussion. Islam guaranteed full rights to women, including the right to inheritance.

15. **Mr. Al-Taee** (Oman) said that his delegation had participated in the consultations on draft resolution A/C.3/52/L.15/Rev.1 and had sought to reach agreement on a text that would be unambiguous and acceptable to all delegations. Unfortunately, that consensus had not been achieved and his delegation had reservations on paragraph 2 (e).

16. **Mr. Ould Mohamed** (Mauritania) said that his delegation could not support the draft resolution under consideration because of the changes made in the text, particularly paragraph 2 (e), which was ambiguous with regard to equality between men and women in matters relating to inheritance. Accordingly, his delegation had withdrawn from the list of sponsors and hoped that the situation would not recur.

17. **Mr. Bhatti** (Pakistan) said that the changes made in the text of draft resolution A/C.3/52/L.15/Rev.1, particularly in paragraph 2 (e), had given rise to certain ambiguities with regard to Islamic law. His delegation, therefore, could not support that paragraph and hoped that there would be greater understanding of religious beliefs and that that failure to reach consensus would not be repeated.

18. **Mr. Ndiaye** (Senegal) said that his delegation had sponsored the draft resolution because women in rural areas in Senegal played a very important role. However, the changes made in the text of the draft resolution under consideration, especially in paragraph 2 (e), had introduced ambiguous and confusing language. Accordingly, his delegation had decided to withdraw its name from the list of sponsors.

19. **Mr. Al-Hajri** (Qatar) and **Mr. Naber** (Jordan) said that their delegations had joined the consensus on draft resolution A/C.3/52/L.15/Rev.1, but had reservations with regard to paragraph 2 (e), which could be interpreted in a manner contrary to Islamic law.

20. **Ms. Wahbi** (Sudan) said that it was her understanding that the Committee was in the process of voting on the draft resolution under consideration. If that was not the case, her delegation wished to speak again in explanation of its vote.

21. **Ms. Chigaga** (Zambia) said that her delegation wished to make a general statement on the draft resolution under consideration and was not speaking in explanation of its vote before the vote.

22. **The Chairman** said that he would suspend the meeting in order to determine the procedure to be followed.

23. *The meeting was suspended at 4.15 p.m. and resumed at 4.20 p.m.*

24. **The Chairman** said that, since he had not yet invited delegations to explain their positions with regard to the draft resolution, the representative of Zambia was entitled to make a general statement if she so desired. He suggested that those delegations which had intended their earlier comments to be recorded as explanations of vote, rather than as general statements, should take the floor again, immediately before the vote on the draft resolution and so indicate.

25. **Ms. Wahbi** (Sudan) and **Mr. Saleh** (Bahrain) said that they would not ask to speak again on the question before the Committee, but reserved the right to explain their delegations' position when the draft resolution was taken up by the plenary Assembly.

26. **Ms. Chigaga** (Zambia) said that the language used in subparagraph 2 (e) with regard to women's inheritance rights reflected the language used by the Commission on the Status of Women in its agreed conclusions, which had been approved by all delegations present. She was therefore disappointed by the large number of reservations. In her view, they undermined the consensus, which had implied acceptance of the draft resolution in its entirety.

27. **Mr. Zahid** (Morocco) said that, while the language had been approved by the Commission on the Status of Women, including his own delegation, it was reproduced out of context, in subparagraph 2 (e), with the result that it was now open to interpretations inconsistent with Islamic law. It might still be possible to maintain the consensus by restoring the original wording of the subparagraph, as contained in document A/C.3/52/SR.15. That wording reproduced the language employed in the Beijing Declaration and Platform for Action, and had been accepted by all delegations. He would ask the Commission on the Status of Women to review the language in question, taking into account the fact that, in many countries, national legislation was based on Islamic law and was therefore not subject to amendment.

28. **Ms. Engelbrecht** (South Africa) said that her delegation fully supported the new wording of the subparagraph since it addressed the issue of female poverty more directly.

29. **The Chairman** asked if any delegation wished to explain its position before the vote on the draft resolution.

30. **Mr. Zahid** (Morocco), **Mr. Al-Taee** (Oman), **Mr. Ould Mohamed** (Mauritania), **Mrs. Vadiati** (Islamic Republic of Iran), **Mr. Al-Sudairy** (Saudi Arabia), **Mr. Al-Awadi** (Kuwait), **Mr. Al-Shamsi** (United Arab Emirates), **Mr. Bogoreh** (Djibouti), **Mr. Al-Hajri** (Qatar) and **Mr. Naber** (Jordan) said that the statements they had made previously should be considered as explanations of their delegations' positions on the draft resolution and that they should like to reiterate their reservations regarding subparagraph 2 (e).

31. **Mr. Zaki** (Pakistan) said that his previous comments should be considered as an explanation of his delegation's position on the draft resolution and of its reasons for withdrawing from the list of sponsors.

32. *Draft resolution A/C.3/52/L.15/Rev.1 was adopted.*

33. **Mr. Hamida** (Libyan Arab Jamahiriya) said that his delegation had joined the consensus on the understanding that subparagraph 2 (e), which affirmed the right of women to inherit land and property in line with the laws of the Libyan Arab Jamahiriya, did not imply any derogation of the rights of men in that regard, and left open the question of the division of the inheritance, which, in Islamic countries, was determined according to the degree of kinship to the deceased, rather than by gender, in conformity with Shariah.

34. **The Chairman** suggested that the Committee should recommend to the General Assembly that it take note of the following reports, namely, the report of the Committee on the Elimination of Discrimination against Women (A/52/38/Rev.1), the Secretary-General's report on the status of the Convention on the Elimination of all Forms of Discrimination against Women (A/52/337) and his report on the activities of the International Research and Training Institute for the Advancement of Women (A/52/352).

35. *It was so decided.*

36. **The Chairman** said that the Committee had thus concluded its consideration of agenda item 105.

Agenda item 107: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*) (A/C.3/52/L.27, L.28, L.29 and L.30)

Draft resolution A/C.3/52/L.27: Assistance to refugees, returnees and displaced persons in Africa

37. **The Chairman** invited the Committee to take action on draft resolution A/C.3/52/L.27, which had no programme budget implications.

38. **Ms. Moteetee** (Lesotho), recalling that she had made a number of oral revisions when introducing the draft resolution, drew attention to two further revisions. A reference to the High Commissioner for Human Rights had been incorporated into paragraph 14, which should now read as follows: "14. *Encourages* the Office of the United Nations High Commissioner for Refugees to continue to cooperate with the office of the United Nations High Commissioner for Human Rights, within their respective mandates, in the promotion and protection of all human rights and fundamental freedoms in emergency humanitarian situations in Africa;". Also, in paragraph 19, the word "permanent" should be replaced by "durable".

39. *Draft resolution A/C.3/52/L.27, as orally revised, was adopted.*

Draft resolution A/C.3/52/L.28: Follow-up to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States

40. **The Chairman** said that draft resolution A/C.3/52/L.28 had no programme budget implications, and that the delegations of Austria, Belgium, Iceland, Ireland, the Netherlands, Spain, and the United Kingdom had joined the sponsors.

41. **Mr. Zozulia** (Ukraine) said that, while his delegation supported the principles and purposes enshrined in the Programme of Action adopted by the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States, it had been unable to join in sponsoring the draft resolution. The text contained a number of vague provisions, which did not adequately reflect the understandings previously reached, and might be interpreted as an attempt to reconsider the approaches which

had been carefully elaborated and approved at the Regional Conference.

42. His delegation disassociated itself from the references in the draft resolution to an entity which had neither the status of a subject of international law nor that of a representative of a geographical region in the commonly understood meaning of that term. Ukraine considered that entity to be a mechanism for multilateral consultation and negotiation.

43. *Draft resolution A/C.3/52/L.28 was adopted.*

44. **Mr. Pashayev** (Azerbaijan) said that his delegation attached importance to the follow-up to the Regional Conference. Foreign aggression, ethnic conflicts, and massive human rights abuses continued to threaten the territorial integrity of newly independent States in the region leading to enormous suffering and grief. As a result of the aggression of Armenia against Azerbaijan and the continuing occupation of 20 per cent of the territory of Azerbaijan, one million Azerbaijanis had become refugees and internally displaced persons. Azerbaijan remained the worst affected country in the region, as reflected in General Assembly resolution 48/114, entitled "Emergency international assistance to refugees and displaced persons in Azerbaijan". Implementation of the Programme of Action adopted at the Regional Conference could substantially mitigate the emergency situations in a number of States of the region. One crucial objective was to reduce flows of involuntarily displaced persons through urgent measures to help them to return to their homes.

45. His delegation did not agree entirely with the clause in the draft resolution that read: "primary responsibility for tackling population displacement problems" in the sixth preambular paragraph and therefore had found it difficult to co-sponsor it. There were countries in which the involuntary displacement had been caused by military aggression and foreign occupation, as in the case of Azerbaijan, where one million people had become refugees and internally displaced persons. Primary responsibility for that displacement lay with the aggressor State. The international community should not ignore the real roots of the problem, and should exert the necessary pressure on that State, including political and economic sanctions.

46. Humanitarian, technical and other forms of assistance should be provided to those States of the region whose territory had been the arena of armed conflicts, without detriment to their territorial integrity. In the case of Azerbaijan, the aggression of the neighbouring State had led to tremendous financial losses. Humanitarian assistance should take into account substantial differences among countries, such as the numbers of refugees and internally displaced persons, including women and children, and material damage resulting from military actions and occupation.

47. Azerbaijan had long opposed the creation of supranational structures within the framework of the Commonwealth of Independent States entrusted with the distribution of humanitarian assistance. A regional approach should not entail any bureaucratic arrangement for the distribution of resources or the curtailing of programmes for the worst affected countries.

Draft resolution A/C.3/52/L.29: the Office of the United Nations High Commissioner for Refugees

48. **The Chairman** said that draft resolution A/C.3/52/L.29 had no programme budget implications.

49. **Ms. Mustonen** (Finland) said that Argentina, Belarus, Brazil, Burundi, Chad, Gabon, Marshall Islands, Nigeria and Tajikistan had joined the sponsors of the draft resolution.

50. A new paragraph had been inserted after paragraph 9, worded as follows: "Acknowledges the desirability of comprehensive approaches by the international community to the problems of refugees and displaced persons, including addressing root causes, strengthening emergency preparedness and response, providing effective protection and achieving durable solutions;"

51. **The Chairman** said that Cameroon, Colombia, Congo, Guinea, Israel, Micronesia (Federated States of), Niger, Paraguay, Samoa, Togo, Trinidad and Tobago, Turkmenistan and Ukraine had joined the sponsors of the draft resolution.

52. *Draft resolution A/C.3/52/L.29, as orally revised, was adopted.*

53. **Mr. Heng Jee See** (Singapore) said that, while his delegation supported the general thrust of the draft resolution, the statement in paragraph 5 which read: "Reaffirms that everyone is entitled to the right to seek and enjoy in other countries asylum from persecution [...]" was unacceptable. His Government had never recognized any unrestricted or automatic right to asylum, and the wording did not accurately reflect contemporary international practice, which in recent years had tended towards a more restrictive and qualified interpretation. Too great and persistent a divergence between principle and practice would only lead to growing cynicism about, and ultimately to the complete rejection of, the principle in question.

54. **Ms. Msuya** (United Republic of Tanzania) said that her delegation had joined the consensus on the draft resolution, but that paragraph 7 was ambiguous, since it

could give the impression that countries of asylum were accomplices to activities likely to undermine "the civilian and humanitarian character of refugee camps and settlements".

Draft resolution A/C.3/52/L.30: Continuation of the Office of the United Nations High Commissioner for Refugees

55. **The Chairman** said that draft resolution A/C.3/52/L.30 had no programme budget implications.

56. Albania, Andorra, Angola, Argentina, Belarus, Botswana, Brazil, Burundi, Cameroon, Chad, Congo, Egypt, Guinea, Haiti, Iraq, Israel, Jamaica, Kenya, Liberia, Malawi, Marshall Islands, Mauritania, Micronesia (Federated States of), Mongolia, Niger, Nigeria, Pakistan, Paraguay, Republic of Korea, Romania, Samoa, San Marino, Saudi Arabia, Senegal, Sri Lanka, Sudan, Swaziland, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, Uruguay and Zambia had become sponsors.

57. *Draft resolution A/C.3/52/L.30 was adopted by acclamation.*

Agenda item 108: Promotion and protection of the rights of children (*continued*) (A/C.3/52/L.24)

Draft resolution A/C.3/52/L.24: The girl child

58. **The Chairman** said that draft resolution A/C.3/52/L.24 had no programme budget implications. Antigua and Barbuda, Australia, Belarus, Cameroon, Canada, El Salvador, Guyana, Jamaica, Liechtenstein, Malaysia, Mali, Nepal, Nicaragua, Panama, Tajikistan, Trinidad and Tobago, Tunisia, and Turkmenistan had become sponsors.

59. *Draft resolution A/C.3/52/L.24, was adopted.*

60. **Ms. Miller** (Malta) said that, while her delegation had joined the consensus on the draft resolution, Malta nonetheless reaffirmed the responsibilities, rights and duties of parents and legal guardians to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the Convention on the Rights of the Child. Her delegation also reserved its position on the use of the term "reproductive health" in paragraph 4 (g). Malta's interpretation of that paragraph was consistent with its national legislation, which prohibited abortion.

Agenda item 110: Elimination of racism and racial discrimination (*continued*) (A/C.3/52/L.32)

Draft resolution A/C.3/52/L.32: Report of the Committee on the Elimination of Racial Discrimination

61. **The Chairman** said that draft resolution A/C.3/52/L.32 had no programme budget implications.

62. **Ms. Tomič** (Slovenia) said that the words "the communication of the Committee" in paragraph 7 had been deleted. Argentina, Australia, the Democratic Republic of the Congo, Luxembourg, Mali, Spain and the United Kingdom had become sponsors.

63. *Draft resolution A/C.3/52/L.32, as orally revised, was adopted.*

Agenda item 111: Right of peoples to self-determination (*continued*) (A/C.3/52/L.33)

Draft resolution A/C.3/52/L.33: Use of mercenaries as a means of violating human rights and impeding the exercise of the rights of peoples to self-determination

64. **The Chairman** said that draft resolution A/C.3/52/L.33 had no programme budget implications. Egypt, Ethiopia, Guinea, India, Iraq, Mali, Niger and Uganda had joined the sponsors.

65. **Mr. Otuyelu** (Nigeria) said that the words "make proposals on a clearer legal definition of mercenaries and" had been deleted from paragraph 6. A new paragraph 7 had been added after paragraph 6, and the following paragraphs had been renumbered accordingly. The new paragraph 7 would read: "Further requests the Secretary-General to invite Governments to make proposals towards a clearer legal definition of mercenaries."

66. **Ms. Wahbi** (Sudan) said that her delegation also wished to co-sponsor the draft resolution.

67. **Mr. Ball** (New Zealand), speaking in explanation of vote before the voting, said that New Zealand's intention to abstain from voting on the draft resolution for technical reasons in no way reflected its firm opposition to the use of mercenaries anywhere in the world.

68. *A recorded vote was taken on draft resolution A/C.3/52/L.33, as orally revised.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Burkina Faso, Cameroon, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of

Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Ghana, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Israel, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against:

Austria, Belgium, Canada, Denmark, Finland, Germany, Hungary, Iceland, Japan, Luxembourg, Netherlands, Norway, Sweden, The former Yugoslav Republic of Macedonia*, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Albania, Andorra, Argentina, Armenia, Australia, Bahamas, Belarus, Bulgaria, Congo, Croatia, Cyprus, Czech Republic, Estonia, France, Georgia, Greece, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Marshall Islands, Myanmar, Nepal, New Zealand, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Solomon Islands, Spain, Turkey, Turkmenistan, Ukraine.

69. *Draft resolution A/C.3/52/L.33, as orally revised, was adopted by 91 votes to 16, with 41 abstentions.*

70. Mr. **Al-Humaimidi** (Iraq) said that his delegation would have voted for the draft resolution if it had had the right to do so under Article 19 of the Charter of the United Nations.

71. **Ms. Cath** (Australia) said that, although Australia had abstained from voting on the draft resolution, it was deeply concerned by mercenary activities and had taken legislative measures against them. In view of the need for international cooperation to address the issue of mercenary activities, Australia was also preparing to accede to the International Convention Against the Recruitment, Use, Training and Financing of Mercenaries, and therefore strongly supported the call in the draft resolution for States which had not yet done so to become parties to that Convention. However, Australia could not support the draft resolution as a whole because of the language used elsewhere in the text which diverted its focus on to extraneous issues.

Draft resolution A/C.3/52/L.34: Universal realization of the right of peoples to self-determination

72. **The Chairman** announced that the draft resolution had no programme budget implications.

73. **Mr. Zaki** (Pakistan) said that the sponsors of the draft resolution hoped that it would be adopted without a vote.

74. **The Chairman** noted that the Congo, Iraq and Mali also wished to become sponsors.

75. Draft resolution A/C.3/52/L.34, as orally revised, was adopted without a vote.

Agenda item 112: Human rights questions (*continued*)

(a) Implementation of human rights instruments (*continued*) (A/C.3/52/L.35 and L.37)

Draft resolution A/C.3/52/L.35: International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

76. **The Chairman** announced that the draft resolution had no programme budget implications, and noted that the Dominican Republic also wished to sponsor the draft resolution.

77. *Draft resolution A/C.3/52/L.35 was adopted without a vote.*

Draft resolution A/C.3/52/L.37: International Covenants on Human Rights

78. **The Chairman** announced that the draft resolution had no programme budget implications, and noted that El Salvador, Israel, Poland and Spain also wished to sponsor the draft resolution.

79. **Mr. Willi** (Norway) announced that Austria, Belarus, Greece, Lithuania, Malta and San Marino also wished to join in sponsoring the draft resolution.

80. *Draft resolution A/C.3/52/L.37, as orally revised, was adopted without a vote.*

* The delegation of the former Yugoslav Republic of Macedonia subsequently informed the Committee that it had intended to abstain from the vote.

Agenda item 112: Human rights questions (*continued*) (A/52/3, 116, 173, A/52/254-S/1997/567, A/52/262, A/52/286-S/1997/647, A/52/301-S/1997/668, A/52/347, 432, 437 and A/52/447-S/1997/775)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/52/66, A/52/81-S/1997/153, A/52/85-S/1997/180, A/52/117, A/52/125-S/1997/334, A/52/133-S/1997/348, A/52/134-S/1997/349, A/52/135, 151, 182, 204, 205, 468, 469 and Add.1, 473, 474, 475, 477, 483, 489, 494, 498, 548 and 567)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/52/61-S/1997/68, A/52/64, A/52/125-S/1997/334, A/52/170, 472, 476, 479, 484, 486/Add.1/Corr.1, 490, 493, 496, 497, 499, 502, 505, 506, 510, 515, 522, 527 and 583)

(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action (*continued*) (A/52/36 and 182)

(e) Report of the United Nations High Commissioner for Human Rights (*continued*) (A/52/36 and 182)

81. **Mr. Türk** (Slovenia) speaking as Chairman of the Working Group of the Third Committee introducing the oral report of the Working Group of the Third Committee, said that from September 1994 to September 1997 the Working Group had considered questions relating to the implementation of the recommendations of the Vienna Declaration and Programme of Action set out in paragraphs 17 and 18 of part II of that document. During that time, he had prepared an informal compilation of proposals for further discussion which had become the basis of the Working Group's subsequent work.

82. During the interval between January and September 1997, the Working Group had conducted intense negotiations with the aim of formulating an agreed text of a draft resolution. While some progress had been made, agreement had not been reached on the entire text, those paragraphs which required further refinement or which remained subject to reservations on the part of some delegations were indicated in bold type in the draft. However, he emphasized that many of the issues discussed in the Working Group were also the subject of system-wide consideration.

83. He proposed that the Working Group should continue its activities on the basis of his informal compilation of proposals or of a more concise text, containing the core ideas that already commanded broad agreement, to be prepared by interested delegations.

84. **Mr. Reyes Rodriguez** (Cuba) said that in his delegation's view, the activities of the Working Group should continue, and that a decision to that effect should be adopted by the Committee at the current session.

85. **Mr. Qin Huasun** (China) said that international activities in the field of human rights were at a crossroads, and that the experience and lessons of the past should be carefully reviewed to ensure that those activities developed in the right direction in the next century. In his delegation's view, the universal principles of human rights must be integrated with the specific conditions of each country; every country had the right to take practical measures to promote and protect human rights in the light of its national conditions and the needs of its people. While it was normal for countries to differ in the practice of human rights, they should conduct their dialogues regarding those differences on the basis of equality, mutual respect and cooperation, without seeking to impose their own particular ideologies and values on others.

86. He called on the international community to take effective measures to remove the root causes of hegemonism, the inequitable international economic order, the widening gap between rich and poor countries, and war, poverty and discrimination; to end the neglect of economic, social and cultural rights, which were of concern to developing countries; and to implement the long-delayed right to development.

87. His Government was taking a keen interest in the reforms proposed by the Secretary-General in the field of human rights, and hoped that the positions of all concerned parties would be taken into account with a view to achieving a balanced and comprehensive package of measures. It welcomed the appointment of Mrs. Mary Robinson as the United Nations High Commissioner for Human Rights and trusted that she would discharge her mandate with fairness and objectivity, heeding the voices of the developing countries and striving to bring to an end the North-South confrontation on human rights matters.

88. China was a party to some 17 international human rights instruments. The promotion and protection of human rights, along with the pursuit of prosperity and democracy, formed part of his Government's comprehensive strategy for development. That strategy was already yielding results: between 1992 and 1996, per capita income had risen

substantially, while rural poverty had declined; direct elections to new village committees had been held in the majority of municipalities, provinces and autonomous regions and the revised criminal code had established, *inter alia*, the principle of equality before the law. It was hoped that additional revisions of the political and legal systems proposed at the Fifteenth National Congress of the Chinese Communist Party would further strengthen the safeguarding of human rights.

89. The attacks by the representatives of the United States and the European Union on China's human rights record were unwarranted and were motivated by a desire to tarnish China's image and check its development, rather than by legitimate concern at the situation of human rights. Contrary to their assertions, the people of Tibet enjoyed extensive human rights, including freedom of religion. The appointment by the United States Government of a special coordinator on Tibetan issues was a gross violation of the principles of respect for States' sovereignty and non-interference in their internal affairs. He urged the delegations concerned to look instead at the situation of human rights in their own countries and to renounce their confrontational approach, which served only to undermine international cooperation on the matter.

90. **Ms. Wahbi** (Sudan), speaking in exercise of the right of reply, recalled that, at an earlier meeting, the representative of Uganda had commented on a statement by the Special Rapporteur on the situation of human rights in the Sudan, concerning a number of Ugandan children who had been abducted. Her delegation had been shocked by the remarks of the representative of Uganda, although it was accustomed to hostility from that source. Her Government condemned all parties involved in acts of violence against children, and she hoped that Uganda would not contest that fact.

91. She also hoped that Uganda would not deny that a team from the Ugandan security forces had visited the Sudan, including refugee camps in the south of the country, to investigate the matter. Some European personalities had also visited the Sudan in that connection. She could not believe that Uganda would deny that the Presidents of the two countries, as well as other officials, had met to discuss the matter, or deny that the two Presidents would exert all possible efforts to save the children.

92. Her delegation had had that matter in mind when it had proposed an amendment to draft resolution A/C.3/52/L.26 on assistance to unaccompanied refugee minors. The Ugandan delegation, when requested to join the sponsors of the draft resolution,had declined to do so, while indicating that it would support the text; her delegation appreciated even that level of support.

93. Her delegation had not accused the Ugandan authorities of kidnapping the children. However, to accuse the Sudanese authorities would be like burying one's head in the sand. Her Government categorically rejected any attempts by Uganda to involve it in internal Ugandan matters or in the fight against the military branch of its opposition, and condemned Ugandan attempts to incite the international community against the Sudan.

94. The accusation that the Sudan was supporting the military branch of the Ugandan opposition was contradicted by the geographical and strategic realities of the situation. The Sudanese rebels, who were assisted by Ugandan forces, controlled an area of Sudanese territory adjacent to Uganda's northern border, and the nearest post of the Sudanese Government forces was 100 kilometres from the border. All fighting between the Ugandan Government forces and the opposition took place on Ugandan territory. For the Sudanese Government forces to assist the Ugandan opposition within Uganda, they would have to cross the 100-kilometre area controlled by the Sudanese rebels.

95. Her Government had attempted to normalize relations with Uganda by proposing the establishment of a monitoring team to verify information coming from the border area, with the participation of a third party to be agreed upon by the two Governments. The Ugandan Government had rejected that proposal. Her Government had also proposed that a bilateral team should be formed to inspect refugee camps in both countries.

96. Her Government fully shared the concerns of the international community regarding the abduction of children or their subjection to danger and cruelty, particularly in situations of armed conflict. The use of children in war was a crime meriting strong action by the international community. The Sudan strongly condemned any exploitation of the sufferings of children for political ends, or for any other purpose.

97. Children should be left out of politics. They represented the hope for the future.

The meeting rose at 6.30 p.m.